

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

1 09 0028

IN RE: JOSHUA JAMES MCKNIGHT)
)

No. 1:09mc0010
Judge Trauger

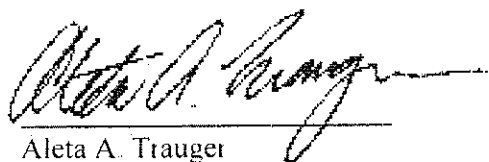
MEMORANDUM

Joshua McKnight (the plaintiff) is a prisoner in the Giles County Jail in Pulaski, Tennessee. Proceeding *pro se* and *in forma pauperis*, the plaintiff asks the court to assist him in protecting his interest in a 1994 Ford Mustang that was seized in connection with a narcotics related law enforcement action.

The district court is a court of limited jurisdiction, with jurisdiction to adjudicate civil actions involving federal questions, 28 U.S.C. § 1331, and/or civil actions involving parties with diversity of citizenship where the amount in controversy exceeds seventy-five thousand dollars (\$75,000.00), 28 U.S.C. § 1332. Before an action may proceed in district court, it must be determined whether the action falls within the scope of the district court's subject matter jurisdiction. The district court is obliged to consider the matter of jurisdiction, *sua sponte* if necessary. *See Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999); *Hadley v. Werner*, 753 F.2d 514, 516 (6th Cir. 1985).

It is clear from the nature of the plaintiff's request that the district court does not have subject matter jurisdiction under either § 1331 or § 1332. Accordingly, this action will be dismissed for want of jurisdiction.

An appropriate order will be entered.



Aleta A. Trauger
United States District Judge